

Serial No.: 10/713,550  
Amendment dated 15 May 2006  
Reply to Office Action mailed 15 March 2006

### REMARKS

This Patent Application has been reconsidered carefully in light of the final Office Action dated as mailed on 15 March 2006. A careful reconsideration of the application by the Examiner in light of the foregoing amendments and the following remarks is respectfully requested.

There is no additional claim fee due for this Amendment because the total number of claims does not exceed the number of independent and dependent claims for which fees have previously been paid.

### Telephone Interview

The undersigned thanks Examiner Purvis for her time during a telephone interview with Anna Swietek on 05 April 2006.

### Amendments to the Claims

Applicants have amended Claim 1 to clarify that the label assembly remains on the application area following transfer of the at least one label portion from the label assembly onto the object, as discussed during the telephone interview on 05 April 2006. This amendment is fully supported by the specification at page 22, lines 1-3, and page 27, lines 9-13.

Claims 1-13, 15-19 and 22-39 remain in the application.

CD-133

14

KDE/as

Serial No.: 10/713,550  
Amendment dated 15 May 2006  
Reply to Office Action mailed 15 March 2006

**Claims Rejection - 35 U.S.C. § 102(e)**

Claims 1-3, 6, 15-19 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,543,508 to Koch (hereinafter "Koch"). This rejection is respectfully traversed, particularly in view of the above Amendment and the following remarks.

Independent Claim 1 was amended to clarify that the label assembly remains on the application area following transfer of the at least one label portion from the label assembly onto the object.

Koch discloses a compact disc labeling system for adhering a label onto a compact disc. The labeling system of Koch has a plurality of *bendable or movable* tabs formed in the outer side wall of the labeling system, for retaining the compact disc above the label just prior to application of the label to the disc. The bendable or movable tabs *move or flex* outwardly when the disc is pressed down and toward the label resting on the flat shelf of the system to attach the label to the disc. Following application, the disc and the label attached thereto are lifted from the application area without encountering resistance from the movable or bendable tabs.

Furthermore, the labeling system of Koch has a central hub formed by a plurality of *vertical* tabs extending from the top surface of the flat shelf. The central hub, i.e., the vertical tabs, are design to register the label and allow the label to be slid

CD-133

15

KDE/as

Serial No.: 10/713,550  
Amendment dated 15 May 2006  
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thereover to be placed on the flat shelf prior to application. Following application, the disc and the label attached thereto are removed from the labeling apparatus by lifting from the flat shelf and sliding from the vertical tabs.

Thus, Koch does not teach or suggest an apparatus for transferring a label portion from a label assembly onto an object where the label assembly remains on the application area following transfer of the label portion from the label assembly onto the object. To the contrary, the labeling system disclosed in Koch, having bendable and movable tabs of the outer side wall and vertical tabs of the central hub is inherently incapable of retaining a label assembly on the application area. More specifically, because the tabs disclosed in Koch are bendable, movable and/or vertical, they are incapable of forming an adequate interference fit between the label assembly, the tabs and the application area, such as to cause the label assembly to be retained on the application area following application. The tabs of Koch are designed to allow the label to be removed from the application area following application, and to not interfere with such removal.

Thus, Koch does not disclose each and every element or limitation of independent Claim 1 as required for a reference to anticipate a claim under 35 U.S.C. § 102. Consequently, Applicants respectfully request withdrawal of this rejection and allowance of this U.S. Patent Application.

CD-133

16

KDE/as

Serial No.: 10/713,550  
Amendment dated 15 May 2006  
Reply to Office Action mailed 15 March 2006

### Conclusion

Applicant believes that the above Amendment and remarks address each and every issue raised by the Examiner, overcome each and every objection and rejection, and place all Claims in condition for allowance. However, should the Examiner detect any remaining issue, Applicant kindly requests the Examiner to contact the undersigned, preferably by telephone, in an effort to expedite examination of this U.S. Patent Application.

Respectfully submitted,



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CD-133

17

KDE/as